APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/701,797	12/19/2003	Clifford L. Hersh	PA1675US	8986

22830 7590 08/22/2005	EXAMINER	
CARR & FERRELL LLP	TRUONG, CAMQUY	
2200 GENG ROAD		
PALO ALTO, CA 94303	ART UNIT	PAPER NUMBER
	2195	

DATE MAILED: 08/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/701,797	HERSH ET AL.
	Examiner	Art Unit
	Camquy Truong	2195

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1).☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *8/8/05*.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

U.S. Patent and Trademark Office

PTOL-326 (Rev. 1-04)   Office Action Summary   Part of Paper No./Mail Date 1

TAILED ACTION

1.   Claims 1-12 are presented for examination.

2.   It is noted that although the present application does contain line numbers in the specification and claims, the line numbers in the claims do not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For ease of reference by both the examiner and Applicant all future correspondence should include the recommended line numbering.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4.   Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. The claim language in the following claims is not clearly understood:

i. As to claims 1 and 3,lines 10-13, it is not clearly understood what is meant by "locking and unlocking list" (i.e. locking task in the list); Line 8, it is not clearly understood whether " said data" refers to " share data" in line 6.

ii. As to claim 7, lines 1-3, it is not indicated what is meant by " transferring the operation " is being transferred.

iii. As to claim 8, lines 6-7, it is not clearly understood what is meant by "

one of plurality of tasks ... as said one task".

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Disbrow (U.A. Patent 5,224,215) in view of Sulliva (U.S. Patent 5,438, 680).

7.   As to claim 1, Disbrow teaches the invention substantially as claimed including a

method for operating a computer system, said computer system including at least one

processor(col. 1, lines 16-21 and lines 33-38), comprising:

establishing a plurality of memory units each having a corresponding memory

location (Fig. 2, col. 6, lines 36-41);

executing a plurality of tasks running on said at least one processor, said plurality

of tasks being operable to share data (col. 1, lines 31-48);

defining a plurality of lists for each memory location (col. 6, lines 27-35);

determining the validity of said data in said memory unit (col. 6, lines 55-63);

locking at least one of said plurality of list if available (col. 3, lines 20-22; col. 7,

lines 63-64; col. 9, lines 9-10);

inserting an entry corresponding to one of plurality of tasks onto said locked list

(col. 3, lines 22-23; col. 7, line 65 – col. 8, line 3; col. 9, lines 10-11);

unlock said locked list (col. 3, line 23; col. 8, line 4; col. 9, line 12); and

determining if data is inputted in putted in said memory location between said

determining step and said unlocking step (col. 3, lines 24-29; col. 9, lines 13-24).

8.   Disbrow does not explicitly teach that locking the list when <u>data is invalid</u>.

However, Sullivan teaches locking the list when <u>data is invalid</u> (col. 5, lines 44-65; col.

9, line 62 – col. 10, line 4).

9.   It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teaching of Disbrow and Sullivan because

Sullivan's lock the list when <u>data is invalid</u> would improve the efficiency of Disbrow's

system by providing the step of locking the list when <u>data is invalid</u> to reduce a conflict

in accessing memory units can speed up parallel digital computers.

10.   As to claim 2, it is rejected for the same reason as claim 1.

11.   As to claim 3, it is rejected for the same reason as claim 1. In addition, Sulliva

teaches suspending said entered task until valid data is found in said memory unit

(col.5, line 45-col. 6, line 12; col. 9, lines 65-67);

        Reading said valid data (col. 5, lines 45-59).

12.   As to claim 4, Disbrow teaches activating selected other ones of said plurality of

tasks that entered on locked list (col. 6, lines 4-15).

13.   As to claim 5, Disbrow teaches plurality of lists form s a linked list (col. 3, lines 5-

10).

14.   As to claim 6, Disbrow teaches plurality of lists is between four and eight (col. 6,

lines 27-28).

14.   As to claim 7, Disbrow teaches transferring the operation of said locked list when

said locked list is locked by another one of said plurality of tasks (col. 8, lines 19-25).

15.   As to claim 8, it is rejected for the same reason as claims 1-2.

16.   As to claim 9, it is rejected for the same reason as claim 5.

17.   As to claim 10, it is rejected for the same reason as claim 6.

18.   As to claim 11, Disbrow teaches computer system is a multitasking or
multiprocessing computer system (col. 1, lines 16-20).

19.   As to claim 12, it is rejected for the same reason as claim 1.

Conclusion

20.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Camquy Truong whose telephone number is (571) 272-3773.
The examiner can normally be reached on 8AM – 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Meng-Ai An can be reached on 571-272-3756. The fax phone number for the
organization where this application or proceeding is assigned is 571-273-3756.

Information regarding the status of an application may be obtained from the Patent
Application Information Retrieval (PAIR) system. Status information for published applications
may be obtained from either Private PAIR of Public PAIP. Status
information for unpublished applications is available through Private PAIR only. For more
information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you
have questions on access to the Private PAIP system, contact the Electronic Business Center
(EBC) at 866-217-9197(toll-free).

Camquy Truong

August 15, 2005   MENG-AI T. AN
                                                SUPERVISORY PATENT EXAMINER
                                                     TECHNOLOGY CENTER